

10-13-2016

SB-16F-3032: Competitive Hiring and Transparent Practices Act

Student Government Association University of North Florida

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SENATE LEGISLATION

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SB-16F-3032: Competitive Hiring and Transparent Practices Act

- Whereas: The Student Government of the University of North Florida was established in order to empower the Student Body; and
- Whereas: The Senate is the legislative body of the University of North Florida's Student Government, responsible for carrying out such legislative acts that are necessary and proper for the Student Body; and
- Whereas: The Senate, being an arm of the Student Body, shall act in such a way that establishes a more open and effective Student Government; and
- Whereas: The Senate, being one branch of the Student Government, shall enact practices which hold the entire Student Government accountable to the Student Body; and
- Therefore: The following revisions to the Student Government System of Statutes are being proposed to ensure that certain presidentially-appointed positions are filled by a more competitive and transparent process.

Title III: The Executive Branch

Chapter 300: Authority of the Executive Branch

- 300.1 The power of entities within the Executive Branch is derived from the ~~Government~~ President's constitutional investiture of the executive powers of Student Government.
- A. The Executive Branch shall be the administrative arm of Student Government.
- B. The Executive Branch shall be responsible for the enforcement and execution of the Student Government Statutes.
- C. The Executive Branch shall be responsible for the planning and execution of programs, projects, and services provided to the students through Student Government.
- D. The Executive Branch shall be responsible for researching and developing programs to enhance the health, education, safety, and welfare of the Student Body of the University of North Florida.
- E. The President shall address the ~~s~~Student ~~b~~Body using the most popular media forum at least once every Fall and Spring semesters respectively.

Chapter 301: Composition of the Executive Branch

- 301.1 The Executive Branch shall be composed of:
- A. President



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- B. Vice President
- C. Executive Cabinet
- D. Executive Staff that the President deems necessary

Chapter 302: The Executive Branch

- 302.1 The President has sole power of appointment within the Executive Branch and may dismiss, at his/her discretion, any appointment at any time with the exception of Treasurer and Attorney General.
- 302.2 The President shall be ultimately responsible for all job duties/responsibilities of all Executive Branch members with the exceptions of Treasurer and Attorney General.
- 302.3 Administrative Authority
 - A. The President may organize the Executive Branch, as he/she deems necessary and proper within the limits imposed by the Student Government Constitution and Statutes.
 - B. The President must establish the Executive Policies and Procedures prior to the first day of classes of the Fall semester.
 - C. If a new Executive Branch position is created, the President must notify the Senate President through an Executive Order within five (5) business days of its creation.
 - D. The Vice President shall assume the duties of the President in his or her absence ~~only in under~~ extreme circumstances, such as physical incapacitation, which makes it impossible to discharge the duties of the office, or upon ~~his or her~~ the President's request.

Chapter 303: The Executive Cabinet

- 303.1 There shall be an Executive Cabinet to advise the President and Vice President on general matters and to assist in the coordination of the Executive Branch.
- 303.2 The President shall have the power to appoint any member of the Executive branch to the Executive Cabinet.
- 303.3 The Executive Cabinet is the Executive Branch's Senior Advisory Body. It may not,



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however, issue any binding resolution or act.

303.4 The President shall serve as the Chairperson of the Cabinet or may appoint a member of the executive branch to do so.

303.5 Individuals holding Cabinet level positions may be referred to hereinafter as Executive Cabinet Members.

303.6 The Executive Cabinet must consist of:

A. Attorney General

B. Treasurer

C. Student Advocate

D. Agency Directors

Chapter 304: Treasurer

304.1 The Treasurer is responsible for ensuring financial accountability and serving as the executive liaison to the Student Body on all matters pertaining to Activity and Service Fee monies.

304.2 ~~The duties of the Treasurer include~~ The Treasurer shall:

~~A. Assist the Student Government Accountant and Student Government Budget Business Manager in auditing all Activity and Service Fee accounts.~~

~~B. Report all Activity and Service Fee account errors, inappropriate expenditures, and other activities that are in violation of state, local, or Student Government rules or regulations to the Senate Budget and Allocation Committee and Senate.~~

~~C. Advise all entities that request Activity and Service Fee money on all state, local, and Student Government rules and procedures.~~

~~D. Enforce all policies and regulations set forth in the Title VIII of the University of North Florida Student Government Constitution and Statutes.~~

~~E. Enforce all restricted expenditures and provisional language of the Activity and Service Fee Budget.~~



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- F. ~~Shall attend Club Alliance meetings and serve as the activity and service fee advisor to all registered student organizations.~~
- A. Enforce all fiscal policies of Student Government as set forth in this title, in the Provisionary Language of the current year's A&S Fee Budget, and in the Policies and Procedures established and enacted by the Senate and the President passed by the Senate, and enacted by the President;
- B. Periodically check the A&S Fee accounts to correlate with language and expenditures set by the current year's budget;
- C. Submit a proposed balanced A&S Fee Budget during the Annual Budget Process;
- D. Serve as a fiscal advisor to the Senate and as a non-voting ex-officio member of the Budget and Allocations (B&A) Committee;
- E. Advise and aid RSOs on fiscal policies set by Student Government and meet bi-weekly with the Club Alliance Director to review all fiscal matters relating to RSOs;
- F. Assist the Business and Accounting Office in facilitating the procedural workshops for funded departments and agencies;
- G. Meet regularly with the B&A Chair, the Director, the Business Manager, the President, and Senate President to review fiscal matters pertaining to all accounts;
- H. Meet weekly with the Director to review expenditures of all A&S funded entities and all fiscal matters;
- I. Inform the B&A Committee of all transfers;
- J. Assist the Accounting Associate(s) and Business Manager in auditing all Activity and Service Fee accounts;
- K. Report all Activity and Service Fee account errors, inappropriate expenditures, and other activities that are in violation of state, local, or Student Government rules or regulations to the B&A Committee and Senate; and
- L. Advise all entities that request Activity and Service Fee money on all state, local, and Student Government rules and procedures.



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304.3 The Treasurer is appointed by the President, subject to confirmation by the Senate.

Chapter 305: Attorney General

305.1 The Attorney General is the Chief Executive Prosecutor for Student Government and as such shall serve to represent the interests of the Student Body at Large in all Student Government legal proceedings.

305.2 The duties of the Attorney General are as follows:

- A. The Attorney General is responsible for issuing, upon the receipt of a written request by any member of the Student Body, an interpretation of any question relating to the Student Government Constitution, System of Statutes, or subsequent Policies and Procedures. The Attorney General's interpretation shall be considered binding unless negated upon Judicial Review.
- B. All interpretations issued by the Attorney General shall be reviewed by the Supreme Court within five (5) business days. The Supreme Court shall then render a final and binding opinion in accordance with Title V.
- C. The Attorney General may give legal advice to any member of Student Government at any time.
- D. During an election, the Attorney General may act as an advisor to the Elections Commissioner and shall act as Chief Prosecutor of all allegations of Election Code violations.
- E. The Attorney General shall be responsible for periodically reviewing the Constitution and Statues for mistakes, conflicts, or contradictions. Any such resulting revisions shall be submitted to the Constitution and Statues Committee.

305.3 The Attorney General is appointed by the President, subject to confirmation by the Senate.

Chapter 306: Student Advocate

306.1 The Student Advocate shall:

- A. ~~The Student Advocate shall~~ be responsible for representing the interests of the Student Body, as expressed through the President, to the faculty and administration on all major academic related programs or initiatives of the University;
- B. ~~The Student Advocate shall~~ serve as a Student Liaison through the Student



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Government to assist Students with problems, ~~concerning academics or the~~
~~administration concerns, and complaints, such as those involving academics and~~
~~administration, through informal means, such as counseling, negotiation, and~~
~~mediation;~~

C. ~~The Student Advocate would be~~ responsible for researching and developing
programs for the President that improve the University of North Florida campus
and affect students on a daily basis;

D. ~~The Student Advocate shall be responsible for providing defense counsel to~~
~~all parties accused of election code violations, Serve as the Chief Public Defender~~
~~for Student Government, barring a conflict of interest, and shall, upon request,~~
~~provide defense counsel to any party concerning matters under the purview of~~
~~Student Government; and~~

E. ~~Serve as a non-voting ex-officio member of the University and Student Affairs~~
~~Committee.~~

D. ~~The Student Advocate is appointed by the President, subject to confirmation by~~
~~the Senate.~~

306.2 ~~The Student Advocate is appointed by the President, subject to confirmation by the~~
~~Senate.~~

Chapter 307: Executive Staff

307.1 The Executive Staff derives its authority from the President and has no authorization,
power or authority to act unless specifically granted by the President or Vice President.

307.2 The Executive Staff are appointed by the President, and are not subject to confirmation
by the Senate.

Chapter 308: Presidential Appointment and Dismissal Powers

308.1 Candidate Search

A. No position requiring Senate confirmation may be filled until the position has
been thoroughly and effectively properly advertised, with the exception of a vacancy
in the Office of the Vice President.



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B. Advertisements must run in a widely distributed media forum, at least once during the candidate search time period during the candidate search time period in order for a position to be considered properlythoroughly advertised. In addition, the advertisements must be visible for a reasonable amount of time, and they must be placed so as to attract the attention of the UNF Student Body.

C. The President is responsible for the handling of advertising and ensuring the UNF Student Body's awareness of vacancies.

B.D. The Supreme Court may review the President's performance in advertising, subject to Chapter 506 Section 3 "Judicial Complaint." Those advertisements which the Supreme Court finds unqualified shall not satisfy the requirement stipulated in Paragraph A of this Section.

308.2 Appointment to Executive Branch Positions

A. The President shall appoint all non-elected members of the Executive Branch.

B. Any Individual appointed to an Executive Cabinet position shall require confirmation by a majority vote of the Senate.

C. Any individual appointed to an Executive Cabinet position who has yet to have been confirmed shall be referred to as an acting member of the Executive Branch and will receive compensation until said individual can be forwarded to the Senate for confirmation. Acting members of the Executive Branch shall come before Senate for confirmation at the next Senate meeting following their appointment, unless an extraordinary circumstance prevents them from doing so, and may not serve longer than thirty (30) days without confirmation. The President must report any Acting Executive Branch member's first official day of work to the Senate President.

D. The terms of all presidentially appointed positions will end with the term of the President, with the exception of the Elections Commissioner.

308.3 Appointments to the Judicial Branch

A. The President shall appoint members to the Judicial Branch when a vacancy occurs.



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- B. Once a vacancy occurs, the President shall have thirty (30) business days to appoint a member to the Branch.
- C. In the event that there are no adequate applicants, the President shall forward all applicants on file to the Chief Justice and request for an extension of up to thirty (30) business days.
1. The amount of extensions granted shall be within the purview of the Chief Justice.
- D. If the extension is not granted, the President will have five (5) business days, from the time the Chief Justice gives his decision, to appoint a Judicial member.

308.4 Documentation of Appointments for Confirmation

- A. The President must forward all documents relevant to an appointment to the Government Oversight Chair and the Senate President. These documents must be sent to the voting members of the Government Oversight Committee, as well as all voting members of the Senate, at least two (2) business days prior to their respective meetings of the confirmation process. The President must also present forward a written statement explaining why the appointee is the best candidate available advocating on the appointee's behalf; the President may waive this requirement by personally advocating for each appointee at the confirmation hearings.
- B. Relevant documents are those pertaining to the selection of the appointee. Such documents may include, but not be limited to, the appointee's resume, answers to questionnaires, and submitted works.
- C. All documents that are protected or whose visibility is restricted by some other law or policy shall be subject to such laws, and this Section will not apply to such documents.

Chapter 309: Vacancy in the Office of Vice President

309.1 Vice President Vacancy

- A. The President shall forward a name to the Government Oversight Committee.
- B. If forwarded from the Government Oversight Committee, a majority vote of the Senate is required for confirmation.



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Chapter 310: Powers of the President-Elect

310.1 The President-Elect shall have the power to designate members of his/her upcoming administration. Such members shall be referred to using their titles followed by the word designee (i.e. Chief of Staff Designee).

310.2 The President-Elect shall have the power to dismiss any designee.

310.3 Upon swearing in of the President-Elect, all Designees shall become acting Executive Branch members and assume all duties, rights, responsibilities, and compensation corresponding to their positions and shall, at this point, be subject to Chapter ~~307~~ 308.

Chapter 311: Executive Transition Period

311.1 The Transition Period begins upon the validation of election results by the Senate and concludes after the ~~F~~first Senate meeting of the term.

311.2 During this transition period, the outgoing administration must transfer all records and files regarding Student Government to the newly elected administration.

311.3 The outgoing administration shall provide the President-Elect adequate space for purposes of conducting business relating to the transition.

311.4 All signature authority for Student Government shall be automatically transferred upon the swearing-in of the new administration.

311.5 The swearing in of the new administration must be held within fifteen (15) business days after the election has been validated by the Senate.

Chapter 312: External Affiliations

312.1 The President shall be responsible for leading the UNF delegation to the Florida Student Association (FSA) and will either serve as the UNF representative on the FSA Board of Directors or will appoint a designee to do so.

312.2 The President shall serve as the primary Student Government representative to community organizations including, but not limited to, the Student Alliance of Jacksonville.



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Therefore: Let the following revisions to Title III be enacted immediately upon passage.

Legislative Action

Executive Action

Author: Senator Thomas Beaucham
Sponsor: Senator Thomas Beaucham
Committee: Constitution and Statutes
Committee Action: 5-0-2
Date of Committee Action: 09/19/16
Senate Action: 33-0-0
Date of Action: 9/26/2016

Let it be known that **SB-16F-3032** is hereby

APPROVED / VETOED

on this 13 day of October, 2016.

Sign

Caleb Grantham, Student Body President

Signed and Delivered to the Student Body President
on this 3rd day of Oct., 2016.

Signed and Delivered to the Senate Secretary

Place Time Stamp Here

10:00 AM

Place Time Stamp Here

10:00 AM

Signed:

Dallas Burke, Student Senate President